

JUL 31 2006

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TO: COMMISSIONER FOR PATENTS - MAIL STOP AMENDMENT**FROM: KAREN BRUCE****RE: Our Ref. No. DD0019 - Serial No. 10/611,748****DATE: 07/31/06****FAX NUMBER: 571-273-8300****NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 3**

COMMENTS:**Attached please find:**

- 1. Certificate of Transmission under 37 CFR 1.8 (1 orig)**
- 2. Response to Restriction Requirement (1 orig)**

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PTO/SB/97 (09-04)

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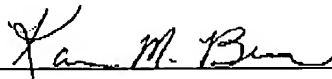
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42,366

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1. Response to Restriction Requirement (1 orig)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/611,748 Confirmation No. : 4485
Applicant : Narendra S. Yadav
Filed : 06/30/2003
TC/A.U. : 1638
Examiner : Mehta, Ashwin D
Docket No. : DD0019
Customer No. : 27310
Title : Method of controlling gene silencing using site specific recombination

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action of June, 29, 2006, Applicant elects with traverse the claims of Group I, claims 1-3, 5-10, 13, and 21-26, drawn to a gene silencing site-specific recombination system comprising a first recombinase element having the general structure P1-R, wherein P1 is a first promoter and R is a recombinase coding sequence and 3' region; and a second gene silencing recombinase element having the general structure of: RS-X-RS*-Y.

The Office Action indicates that Applicant is required to select an additional species from Group I. Applicant hereby elects species C (5'Intron-TS_{Inv}-P2_{Inv}) as the nucleic acid of X and species F (3'Intron-TS_{Inv}-polyA) as the nucleic acid of Y.

REMARKS/ARGUMENTS

The Examiner has concluded that invention I is independent and distinct from inventions II and III. It is asserted that the inventions comprise a unique combination of fragments in different orientations resulting in each combination having a different function and structure.

Applicant respectfully traverses. The different structures identified in Groups I-III are variations upon a general methodology for conditionally regulating gene silencing with the use of site specific recombination systems that result in the expression of dsRNA.

Therefore, Applicants believe that the search for Invention I will encompass the majority of the information required for the examination of inventions II and III. Any further searching for examination of inventions II and III should not be an *undue* burden on the Examiner. Applicants respectfully request reconsideration of the restriction of groups I, II, and III.

Respectfully submitted,



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